

REMARKS/ARGUMENTS

Applicants would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office action, and amended as necessary to more clearly and particularly describe the subject matter that applicants regard as the invention.

The Office action required a substitute specification. Applicants submit that the current specification is written in understandable English and meets the requirement of 35 U.S.C. 112, first paragraph. Therefore, no substitute specification has been provided.

Claim 16 was rejected under 35 U.S.C. 112, second paragraph, based on an antecedent basis issue, which is addressed by the present amendment.

Claim 20 was rejected under 35 U.S.C. 101 for being directed to non-statutory subject matter. Claim 20 has been amended and now recites, “a character recognition processing program in which the respective steps defined in claim 19 are executed by a computer, wherein said program is stored within a memory device that is accessible by the computer.” Because the program of claim 20 is stored within a memory device that is accessible by a computer, the claimed subject matter is statutory.

Claims 1, 2, 4-10, 12 and 17-20 were rejected under 35 U.S.C. 102(e) as being anticipated by Newman. Claim 1 recites, “a photographing unit which photographs a plurality of character images using a continuous photographing operation in which a continuous still image is captured and automatically divided into the plurality of character images...a display that simultaneously displays a cursor, which includes the character frame, with the continuous still image at the time of capturing the continuous still image...a character recognizing unit, which

recognizes the extracted plurality of character images as the at least one character and converts the extracted plurality of character images to character information.” The device of claim 1 captures a continuous still image and automatically divides the continuous still image into a plurality of character images. A character is recognized from the plurality of character images. Neither Newman, nor any other prior art of record, teaches such a device. In Newman, OCR is performed on a single captured image and not on a plurality of images obtained from a continuous still image. Applicants note that Butterworth (USPN 2003/0169923), which is cited in the rejection of claims 3 and 16, teaches performing OCR on separate, partially overlapping images and not on a plurality of images obtained from a continuous still image that is automatically divided into character images.

The device of claim 1 simultaneously displays a cursor, which includes a character frame, with the continuous still image at the time of capturing the continuous still image. The displayed cursor includes the character frame. Therefore, the character frame is displayed simultaneously with the continuous still image at the time of capturing the continuous still image. The character frame, for example, can help a user to properly align text when capturing the continuous still image. Newman teaches cursor crosshairs, and also teaches highlighting text in a *previously captured* image (7:12-35). However, Newman does not teach a cursor that includes a character frame, nor the simultaneous display of a character frame with an image at the time of capturing the image.

In view of the deficiencies of Newman, applicants respectfully submit that claim 1 is not anticipated by Newman. Claims 2 and 4 depend from claim 1. The arguments provided above with respect to claim 1 also apply to claims 5 and 19. Claims 7-10, 12, 17 and 18 depend from

claim 5, and claim 20 depends from claim 19. Applicants respectfully submit that claims 2, 4, 5, 7-10, 12 and 17-20 are not anticipated by Newman. Claim 6 has been canceled.

Claims 3 and 16 were rejected under 35 U.S.C. 103(a) as being unpatentable over Newman in view of Butterworth. Claim 3 depends from claim 1 and claim 16 depends from claim 5. Therefore, the arguments provided above with respect to claim 1 also apply to claims 3 and 16. Applicants respectfully submit that claims 3 and 16 are allowable over the cited combination of references.

Claims 11, 13 and 14 were rejected under 35 U.S.C. 103(a) as being unpatentable over Newman in view of Hou. Claims 11, 13 and 14 depend from claim 5. Therefore, the arguments provided above with respect to claim 1 also apply to claims 11, 13 and 14. Applicants respectfully submit that claims 11, 13 and 14 are allowable over the cited combination of references.

Claim 15 was rejected under 35 U.S.C. 103(a) as being unpatentable over Newman in view of Ohsawa. Claim 15 depends from claim 5. Therefore, the arguments provided above with respect to claim 1 also apply to claim 15. Applicants respectfully submit that claim 15 is allowable over the cited combination of references.

In light of the foregoing, it is respectfully submitted that the present application is in condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

Appln. No. 10/523,877
Amendment dated October 7, 2008
Reply to Office Action dated July 9, 2008

If there are any fees resulting from this communication, please charge same to our
Deposit Account No. 16-0820, our Order No. NGB-37577.

Respectfully submitted,
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Date: October 7, 2008